

STREET ACCEPTANCE POLICY



Revised January 2021



STREET ACCEPTANCE POLICY

The Town of Indian Trail may consider the acceptance of existing streets/roads upon the written request.

The Town reserves the right to refuse acceptance of maintenance of streets which in its judgment, require extensive repair work to bring the street(s) up to a satisfactory condition.

This policy will go in effect immediately upon adoption by the Town Council.

Special Assessment Districts

To initiate the acceptance procedure for privately owned commercial, residential, and non-paved streets, the following information shall be submitted to the Director of Engineering:

1. An application form to the Town requesting to consider accepting subject streets for public maintenance. The application form must be completed by a Town citizen that owns property frontage along the requested street.
2. The applicant shall submit a petition with 60 percent of the linear frontage of property owners within the request area. These property owners must show they have easements or ownership of the property or the right to convey.
3. Once petition is turned in and verified by Town staff, the Director of Engineering, within 4 months, will develop a Street Diagnostic Report on the current condition of the proposed streets. If determined to be warranted; the Engineering Department will do a pavement core analysis where core samples will be taken at 500' intervals (minimum of 1 core per street block), and no more than 4.0' from the centerline of the road.
4. After gathering up this data, the Director of Engineering will review the information and complete a comprehensive Street Acceptance Report on the current condition of the streets for the Town Council.
5. The Engineering Department will make a determination using current labor costs and unit prices for the remediation costs of the entire section of street(s). This may include the cost for stormwater replacement, concrete replacement (curb, sidewalk, etc.) and/or any other items deemed needed remediation at the discretion of the Director of Engineering.
6. Other costs that maybe involved are surveying and final plat revisions.
7. The Town will use the following formula to determine the amount of funds it will take to get requested street(s) a satisfactory condition determined by the Director of Engineering:

- A. Town will come up with an improvement value to bring to street to satisfactory standard:

Ex. Street "A" cost = \$100,000.00

- B. 50% of the cost above will be absorbed by the Town per GS 160A – 217(a) regardless what type of cross-section the street currently has:

Original Cost of Street "A" = \$100,000.00 x 50% = \$50,000.00

- C. No more than 10 annual installments to the adjacent homeowners per GS 160A – 232:

\$50,000.00 divided by 10 installments = \$5,000.00 per year

- D. If there are 20 property owners along the frontage of the roadway which will share in the cost above, then cost shall be:

\$5,000.00 divided by 20.0 homeowners = \$250.00 per year or \$20.83 per month

8. Should the Town choose to exercise its authority to levy a special assessment against properties benefited from the road improvement and acceptance of maintenance, the Town shall follow the procedures set forth in Article 10 of NCGS 160A, Special Assessments.
9. Should the private property owners perform repairs and improvements to bring a street to a standard satisfactory to the Town, the Town will require a surety bond and/or letter of credit guarantying performance by the private property owners.
10. The Town Council reserves the right to reject any and all application requests.
11. The Town will have sole discretion on when to perform maintenance on Town streets.
12. All request of this nature can be submitted to the Town for consideration once a year per street or subdivision.

HOA/Developer owned and Newly Constructed Streets Platted for Town Maintenance

To initiate the acceptance procedure for HOA/Developer owned streets or newly constructed streets platted for Town maintenance, the following information shall be submitted to the Director of Engineering:

1. A letter to the Director of Engineering requesting that the Town consider accepting subject streets for public maintenance. At least 95% of the parcels have been developed and the streets shall not have had the final layer of asphalt laid for more than 2 years.
2. One (1) copy of the recorded map(s) of the subject street(s).
3. One (1) Pavement Core Results Report will be required if deemed necessary by the Director of Engineering. If report submittal is a requirement then the report will include a cover letter, table of contents, project scope, data collection methodology, description of project limits, a map at a legible scale of the project limits containing street names, lengths, widths, and the location of the pavement core samples. The report will also include a core results table with street name, applicable Town of Indian Trail Land Development Standard (ITLDS) Typical Section, core result material and thickness (in inches), a statement of whether the core result meets the current minimum design standard per the ITLDS Typical Section. Pavement core samples shall be taken at 500' intervals (minimum of 1 core per street block), and no more than 4.0' from the centerline of the road. This report must be signed, dated, and stamped by a North Carolina registered professional engineer. The Town may acquire its own pavement core samples as a quality control measure.

Once the Pavement Core Results Report has been submitted, an inspection shall be conducted by the Town of the subject street(s). The Town shall notify the owning entity of all construction deficiencies required to be corrected. Upon satisfactory completion of corrective measures, re-inspection, and approval by the Director of Engineering, the Town Council shall accept the subject street(s) for maintenance.

4. A 12-month warranty guarantee issued by the developer/contractor shall be submitted in writing (company letterhead) stating that any deficiencies or failures notice by residents or by Town staff during this period shall be remedy by the Contractor at no cost to the HOA or the Town.

NCDOT Maintained Streets:

1. If a property owner submits an application to the Town requesting to consider accepting NCDOT maintained streets for Town maintenance. The application form must be completed by an individual that owns property frontage along the requested street or subdivision. This will depend on if the applicant is requesting an individual street or an entire subdivision of streets to be considered.
2. The applicant will be made aware that this process will only go so far as NCDOT is willing to consider it. The Town will not continue the request if NCDOT is not interested in some form of reimbursement for the remediation work that may need to occur due to the existing conditions of the street or subdivision. It will be to the Town's discretion what the remediation effort entails.
3. If NCDOT is willing to contribute, then the applicant shall submit a petition with 60 percent of the linear frontage of property owners along the street or 60 percent of the landowners of the subdivision. These property owners must show they have easements or ownership of the property or the right to convey.

4. If NCDOT is willing to relinquish its ownership, but not contribute and the existing roadways are found to be in a satisfactory condition based on the Director of Engineering's opinion, then Town staff will move forward with the street takeover once Town Council has given approval.
5. If NCDOT is unwilling to participate financially, and the existing conditions of the streets are unsatisfactory; in the opinion of the Director of Engineering, then the Town will notify applicant that the application is terminated.
6. All requests of this nature can be submitted to the Town for consideration once a year per street or whole subdivision.

NCDOT Main Corridors:

The Town Council shall have full discretion in determining the acceptance of any NCDOT Main Corridor Roads.